

IN THE SUPREME COURT OF THE STATE OF DELAWARE

THOMAS GOLUBINSKI, derivatively	§	
on behalf of Nominal Defendant	§	
NOVAVAX, INC.,	§	No. 430, 2022
	§	
Plaintiff Below, Appellant,	§	
	§	
v.	§	Court Below: Court of Chancery
	§	of the State of Delaware
RICHARD H. DOUGLAS, STANLEY	§	
C. ERCK, GARY C. EVANS,	§	
GREGORY M. GLENN, JOHN A.	§	C.A. No. 2021-0172
HERRMANN III, RACHEL K. KING,	§	
MICHAEL A. McMANUS, JR., RAJIV	§	
I. MODI, DAVID M. MOTT, BRIAN	§	
ROSEN, JOHN J. TRIZZINO, and	§	
JAMES F. YOUNG,	§	
	§	
Defendants Below, Appellees,	§	
	§	
and	§	
	§	
NOVAVAX, INC.,	§	
	§	
Nominal Defendant Below,	§	
Appellee.	§	

Submitted: May 17, 2023  
Decided: June 8, 2023

Before **SEITZ**, Chief Justice, **VALIHURA**, and **TRAYNOR**, Justices.

This 8th day of June 2023, having considered this matter on the briefs of the parties and the record below, and having concluded that the same should be affirmed on the basis of and for the reasons assigned by the Court of Chancery in its Transcript Ruling dated October 18, 2022, and its Order Regarding Plaintiff's Motion for an Award of Attorneys' Fees and Expenses and a Service Award dated October 18, 2022;

NOW, THEREFORE, IT IS ORDERED that the judgment of the Court of Chancery  
be and same hereby is AFFIRMED.

BY THE COURT:

/s/ Karen L. Valihura  
Justice